



March 1, 2010

The Honorable Richard Roy
Co-Chairman, Environment Committee
Room 3200, Legislative Office Building
Hartford, CT 06106

The Honorable Edward Meyer
Co-Chairman, Environment Committee
Room 3200, Legislative Office Building
Hartford, CT 06106

RE: HB-5130 Opposition

Dear Chairmen:

On behalf of the Grocery Manufacturers Association, I respectfully wish to convey our opposition to HB-5130, "An Act Concerning Child Safe Products." GMA represents the world's leading food, beverage and consumer products companies. The Association promotes sound public policy, acts as a champion of initiatives that increase productivity and growth, and helps to protect the safety and security of the food supply through scientific excellence. The GMA board of directors is comprised of fifty-two chief executive officers from the Association's member companies.

The Grocery Manufacturers Association and its member companies support the intent of this legislation, to ensure that consumer products with which the citizens of the State of Connecticut come in contact are safe and free of unnecessary risk to health and wellbeing. However, we believe that this legislation cedes the discretion and authority of the legislature and the protections of the legislative process to an unelected bureaucracy without benefit of a defined risk assessment process. As difficult and daunting as the legislative process we are currently following can be for the proponents and opponents alike, and as technical as the subject matter may be for the legislature and staff, we feel that the proper forum for such far-reaching decision making is here in the legislature, not in the less deliberative regulatory process.

This legislation would confer enormous and possibly unprecedented authority on the Commissioner of Environmental Protection. This legislation would authorize the commissioner to designate as "high priority chemicals," or chemicals to be banned from inclusion in nearly all consumer products manufactured or sold in Connecticut, a randomly determined number of substances that meet a broad criteria based on exposure

GROCERY MANUFACTURERS ASSOCIATION

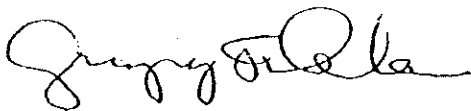
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rather than hazard. HB-5130 permits no distinction between the mere presence of a chemical in human tissue, home environments and even the natural environment, and the toxicity or hazard of that chemical. Furthermore, the mere presence of a chemical on a list of "priority chemicals" published by just one of any number of government agencies including those of other states and the World Health Organization would be enough earn the "banned" label in Connecticut. We believe that the study and evaluation of chemicals for approval for use in food and consumer products is best handled by the federal government. The products affected by this legislation, whether made here in Connecticut or elsewhere, are manufactured for use in all 50 states. While this legislature clearly has the mandate to protect the citizens of this state, I would ask that you also consider the level of expertise and dedication of our public servants at the FDA, EPA and other federal agencies that work to safeguard the public's health and safety. Given the present level of protection, Connecticut's consumers, taxpayers and its employees of the industries that produce the products that could be banned from manufacture, distribution or sale in this state, are well served by a fulsome and deliberate debate on the merits of banning a given chemical or product right here in this committee.

Additionally, this legislation does not take into consideration any process for alternatives assessment. There is no provision in this bill that would require, or even facilitate such a process and the legislation would in fact allow for the use of alternatives to a banned chemical as long as the alternative does not appear on any of the above-described lists. A non-existent or flawed alternatives assessment process could result in regrettable substitutions. HB-5130 fails to consider alternatives assessment issues and does not even direct the commissioner to make provision for a stringent assessment process in regulation.

This legislation, while well intentioned, reaches too far, considers too little in the way of science and cedes a staggering level of discretion to the commissioner. This bill would be damaging to the economic health of Connecticut without getting any nearer to any possible sources of health or environmental hazard. For the above stated reasons we urge you to vote no on HB-5130. I look forward to working with you and the members of the committee in the coming days and weeks to address the issue child safe products.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gregory J. Costa". The signature is written in dark ink and is positioned to the left of a vertical line.

Gregory J. Costa
Director, State Affairs

cc: Members, Environment Committee

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